

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	No. 09 CR 694
vs.)	
)	Judge Milton I. Shadur
UZAIR ALI HASHMI)	

**GOVERNMENT'S MOTION TO DISMISS INDICTMENT BASED ON
COMPLETION OF PRETRIAL DIVERSION**

The UNITED STATES OF AMERICA, by GARY S. SHAPIRO, United States Attorney for the Northern District of Illinois, respectfully asks the Court to dismiss the indictment in this case.

1. Defendant was charged by indictment with knowingly and willfully making materially false statements in a matter within the jurisdiction of the Federal Bureau of Investigation, in violation of Title 18, United States Code, Section 1001(a)(2) (Counts One and Two), and knowingly and willfully making a false writing in a matter within the jurisdiction of the Federal Bureau of Investigation, in violation of Title 18, United States Code, Section 1001(a)(3) (Count Three).

2. On August 31, 2011, the parties entered into a deferred prosecution agreement. R. 55. In that agreement, the parties agreed to defer prosecution for two years, during which time defendant agreed to abide by certain conditions of pretrial diversion. The government agreed that if defendant successfully completed the diversion program and complied with the terms of the agreement, the government would file a motion to dismiss the indictment.

3. To the government's knowledge, defendant has complied with all terms

set forth in the agreement. Therefore, pursuant to the agreement, the government moves the Court to dismiss the indictment in this case.

CONCLUSION

For these reasons, the government respectfully requests that the Court dismiss the indictment in this case.

Dated: September 13, 2013

Respectfully submitted,

GARY S. SHAPIRO
United States Attorney

By: /s/ Marc Krickbaum
MARC KRICKBAUM
Assistant United States Attorney
219 South Dearborn Street
Chicago, Illinois 60604
(312) 469-6052
marc.krickbaum2@usdoj.gov